R E M A R K S

Applicants have made a diligent effort to put the pending claims in condition for allowance. Claims 1, 4-5, 7, 10-11, 13 and 16-17 have been amended. Eighteen claims remain pending in the application: Claims 1-18. Reconsideration of the pending claims is respectfully requested.

Amendments to the Claims

1. Support for the Amendments to claims 1, 4-5, 7, 10-11, 13 and 16-17 can be found throughout the originally filed specification, including the drawings and claims.

Specifically, support for the amendments can be found at page 29, line 12 through page 30 line 9 and page 33, lines 1-23.

Rejection under 35 U.S.C. § 102

2. Claims 1-18 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,161,132 (*Roberts et al.*).

Roberts et al. disclose a system for the synchronization of content with the playing of a musical CD (See Roberts et al., Col. 5, line 10-28). When a user connects to a central web page, the user is prompted to insert a CD (See Roberts et al., Col. 7, lines 14-16). The user is then directed to a chat room, or a chat room is created, for the particular CD inserted and the user becomes a client of the chat room (See Roberts et al., Col. 7, lines

26-30). The chat room's name is set by the server to contain information about the track that is playing in the other clients' machines and the time at which the track started to play, as well as the volume at which the CD is playing. The chat client plug-in uses the information included in the chat room's name to synchronize with the other clients in the chat room such that all the clients are approximately hearing the same part of the CD at the same time (Column 7, line 35-Column 8, line 2). *Roberts et al.* describe a system where people who own a common CD can come together on the internet and listen to a song at the same time while being able to send text messages to each other.

In contrast, Applicants' teach a method for providing a synchronized audio visual experience according to a scheduled event.

Specifically, Applicants are, as recited in amended independent claims 1, 7 and 13, "sending an object for allowing the scheduled event to be played back simultaneously on the client apparatuses, the object adapted to start the scheduled event simultaneously on the plurality of client apparatuses upon detection of an activation signal."

Furthermore, independent claims 1, 7 and 13 have been amended to include that there is "a scheduled event." According to the Applicants' invention, "the scheduled event" takes place over a network, e.g., the internet, and possibly thousands of people can all take place in "the scheduled event."

Advantageously, Applicants' recited activation signal that corresponds to the scheduled event allows the scheduled event to be planned and potentially advertised well in advance. The scheduled event may correspond to an

§ scheduled event = activate signal

occasion with special meaning, e.g., a memorial to a director of the content, and the overlay material may include, e.g., previously recorded video interviews with the director. Thus, Applicants recited method provides a comprehensive audio-visual experience that may be planned and advertised to occur at a particular time.

Roberts et al.'s chat room operates in a very different manner, and cannot provide the comprehensive experience that Applicants' method provides. Specifically, Roberts et al.'s chat rooms do not establish a "scheduled event" as recited in Applicants independent claims. Instead, Roberts et al. merely directs a user to a particular chat room where an audio CD is already being played. (See Roberts et al., Col. 7, lines 26-30 and Col. 8, lines 3-4). Thus, there is no "scheduled event" that a user may reference and rely on, and as such, a user in Roberts et al.'s chat room may or may not find other users that are playing the same audio CD.

Furthermore, Roberts et al. does not teach or suggest "sending an object for allowing the scheduled event to be played back simultaneously on the client apparatuses, the object adapted to start the scheduled event simultaneously on the plurality of client apparatuses upon detection of an activation signal." Instead, as stated above, Roberts et al. use the name of the chat room to convey information about where the CD is currently playing on other client devices. This allows the CD's to be approximately synchronized on all of the client machines. Roberts et al. also provide system control once the CD's are playing on the client apparatuses. Specifically, each user in the chat room is able to control the CD which is playing in his or her

machine after the approximate synchronization has occurred. These control actions result in the chat plug-in sending messages to the chat server. The chat plug-ins running on the other users' machines then replicate the action as far as possible by using the control plug-in (Col. 8, lines 3-13). In contrast, Applicants claim a system and method for starting "the scheduled event simultaneously on the plurality of client apparatuses upon detection of an activation signal." There is no need in Roberts et al. for an "object adapted to start the scheduled event simultaneously on the plurality of client apparatuses upon detection of an activation signal," because Roberts et al. allow users to start a synchronization of their CD's through utilization of the chat room name. Advantageously, in accordance with Applicants' invention the object that is "adapted to start the scheduled event" allows for "the scheduled event" to take place at a predetermined time and for many individuals to log on at different times and then start the scheduled event simultaneously upon the detection of the activation signal. This synchronization process is not disclosed or suggested by Roberts et al.

Roberts et al. do not show either a "scheduled event" or "sending an object for allowing the scheduled event to be played back simultaneously on the client apparatuses, the object adapted to start the scheduled event simultaneously on the plurality of client apparatuses upon detection of an activation signal" and thus does not anticipate Applicants claimed invention. Thus, Applicants submit the rejection is overcome and should be withdrawn.

Furthermore, section 2143.01 of the Manual of Patenting Examining Procedure states that in order to modify

a prior art reference "there must be a suggestion or motivation in the reference to do so."

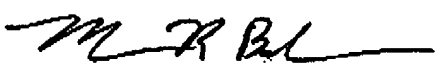
Roberts et al. provide no suggestion or motivation to provide "a scheduled event to be played back simultaneously on the client apparatuses." Furthermore, because there is not "a scheduled event" there is no motivation to "send an object for allowing the scheduled event to be played back simultaneously on the client apparatuses, the object adapted to start the scheduled event simultaneously on the plurality of client apparatuses upon detection of an activation signal," as the chat rooms of Roberts provide this information in the name of the chat room.

Thus, Applicants submit it would not be obvious to modify Roberts et al. in order to achieve Applicants invention because there is not suggestion or motivation in Roberts et al. to make the modification.

CONCLUSION

By way of this amendment, Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain any outstanding issues that require adverse action, it is respectfully requested that the Examiner telephone Thomas F. Lebens at (805) 781-2865 so that such issues may be resolved as expeditiously as possible.

Respectfully submitted,



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